

<b>Notice of Allowability</b>	Application No.	Applicant(s)	
	10/042,602	CHANG ET AL.	
	Examiner	Art Unit	

Raymond S. Dean 2684

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to June 10, 2005.
2.  The allowed claim(s) is/are 1 - 2, 4 - 5, and 11.
3.  The drawings filed on 11 April 2002 are accepted by the Examiner.
4.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All b)  Some\* c)  None of the:
    1.  Certified copies of the priority documents have been received.
    2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

#### Attachment(s)

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application (PTO-152)
6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_

## DETAILED ACTION

### ***Allowable Subject Matter***

1. The following is an examiner's statement of reasons for allowance:

Regarding Claim 1, Mohebbi (US 6,603,971), hereafter Mohebbi, teaches a method for controlling uplink transmission power in a handover region by a UE (User Equipment) in communication with a Node B using an FCS (Fast Cell Selection) scheme (Figure 5, Column 6 lines 27 – 31, Column 6 lines 45 – 48, Column 13 lines 14 – 23), comprising the steps of: storing TPC (Transmission Power Control) commands received for a specific duration from a plurality of cells in an active set, if the UE enters the handover region during communication with a current best cell (Column 7 lines 13 – 24); Yamada et al. (US 6,275,711), hereafter Yamada, teaches selecting a cell among the plurality of cells in the active set as next best cell using the stored TPC commands (Column 4 lines 33 – 48); comparing the TPC commands from a current best cell with the TPC commands from the next best cell for the specific duration, which is defined by a number of time slots counted backward from a point in time at which handover is executed from the current best cell to the next best cell (Column 4 lines 33 – 48). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the cell selection method taught by Yamada in the system of Mohebbi as an alternative means for selecting the best serving cell. Baker et al. (US 6,754,505), hereafter Baker, teaches the determination of a transmission power offset and transmitting initial transmission power for a cell at a transmission power level

determined considering the transmission power offset (Column 5 lines 28 – 44). **The prior art of record, however, fails to teach or show determining said transmission power offset based on a difference between numbers of the TPC commands having different values.** Claims 2, 4, and 5 depend on Claim 1 therefore examiner gives same reason as set forth above.

Regarding Claim 11, Mohebbi teaches an apparatus for controlling uplink transmission power in a handover region by a UE (User Equipment) in communication with a Node B using an FCS (Fast Cell Selection) scheme (Figure 5, Column 6 lines 27 – 31, Column 6 lines 45 – 48, Column 13 lines 14 – 23), comprising: a power measure and best cell identification part for measuring transmission power of a received common pilot channel (CPICH) signal (Column 12 lines 64 – 67, Column 13 lines 1 – 13, since this is a CDMA system there is an inherent CIPCH), and creating best cell maintain/change information by determining whether to maintain a current best cell or change the current best cell to a next best cell (Column 13 lines 14 – 23); a demultiplexer for demultiplexing shared control channel (SHCCH) signals received from a plurality of Node Bs in an active set and outputting TPC (Transmission Power Control) commands; a TPC command memory for storing the TPC commands output from the demultiplexer, received from the plurality of the Node Bs (Column 7 lines 13 – 24, since this is a CDMA system there is an inherent SHCCH, in order to obtain the power control bits there must be demultiplexing in the mobile station thus there is an inherent demultiplexer). Yamada teaches TPC commands stored for a specific duration, which is defined by a number of time slots counted backwards, upon receipt of best cell

change information indicating that the best cell must be changed from the current best cell to the next best cell (Column 4 lines 33 – 48). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the cell selection method taught by Yamada in the system of Mohebbi as an alternative means for selecting the best serving cell. Baker teaches a UE transmission power controller for determining a transmission power offset and compensating initial transmission power for the next best cell based on the determined power control offset (Column 5 lines 28 – 44). **The prior art of record, however, fails to teach or show determining said transmission power offset based on TPC commands stored for a specific duration.**

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Raymond S. Dean whose telephone number is 571-272-7877. The examiner can normally be reached on 6:00-2:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay A. Maung can be reached on 571-272-7882. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

On July 15, 2005, the Central FAX Number will change to **571-273-8300**. This new Central FAX Number is the result of relocating the Central FAX server to the Office's Alexandria, Virginia campus. Most facsimile-transmitted patent application related correspondence is required to be sent to the Central FAX Number. To give customers time to adjust to the new Central FAX Number, faxes sent to the old number (703-872-9306) will be routed to the new number until September 15, 2005. After September 15, 2005, the old number will no longer be in service and **571-273-8300** will be the only facsimile number recognized for "centralized delivery".

**CENTRALIZED DELIVERY POLICY:** For patent related correspondence, hand carry deliveries must be made to the Customer Service Window (now located at the Randolph Building, 401 Dulany Street, Alexandria, VA 22314), and facsimile transmissions must be sent to the Central FAX number, unless an exception applies. For example, if the examiner has rejected claims in a regular U.S. patent application, and the reply to the examiner's Office action is desired to be transmitted by facsimile rather than mailed, the reply must be sent to the Central FAX Number.

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Raymond S. Dean  
July 21, 2005



**NAY MAUNG**  
**SUPERVISORY PATENT EXAMINER**